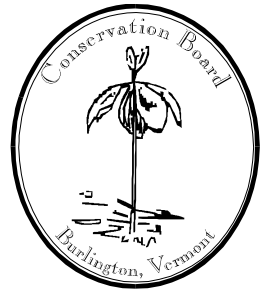


Burlington Conservation Board

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Matt Moore, Chair
Will Flender, Vice Chair
Scott Mapes
Don Meals
Jeff Severson
Miles Waite
Damon Lane
Zoe Richards
Stephanie Young



Conservation Board Meeting Minutes

Monday, October 5, 2015 – 5:30 pm
Planning and Zoning Conference Room - City Hall Lower Level
149 Church Street

Attendance

- **Board Members:** Zoe Richards (ZR), Jeff Severson (JS), Miles Waite (MW), Stephanie Young (SY), Damon Lane (DL), Don Meals (DM), Scott Mapes (SM), Matt Moore (MM)
- **Absent:** Will Flender (WF)
- **Public:** 4 UVM students
- **Staff:** Scott Gustin (Planning & Zoning)

MM, Chair, called the meeting to order at 5:30 p.m.

Minutes of September 14, 2015

A MOTION was made by DM and SECONDED by DL

Approve as written

Vote: 6-0-2

Board Comment

MM said he went to a stormwater presentation at the CCRPC last week. SM said he did as well. SG and Megan Moir also attended. SM noted the importance of functional green space relative to green infrastructure. DM also noted the water quality meeting at BED. MM mentioned the sewer discharge into the lake from the North End. SM said that the problem was a sewer connection into a storm line. It highlights the need to coordinate reviews. MW said he heard the contractor was not sure what pipe to connect to.

Public Comment

UVM students present – undergrad sustainable community development class.

Open Space Subcommittee

1. Former Burlington College lands update

MM said that Jesse Bridges provided an update to the subcommittee. A conceptual layout of land to be conveyed has been worked out. It is a 12-acre portion of property to the south and west. Consideration by the City Council is anticipated in November. The purchase price is about \$2 million. An appraisal is being done. ZR hopes that not all of it will come out of the city's conservation fund. There is not \$2 million in it. MW said that people at the BCB's prior meeting advocated against supporting the acquisition as presently proposed. ZR pointed out that the beach, the bluffs, the community gardens, and the trails are included. DM noted that it's been asserted that the 12 acres are unbuildable anyway. JS said it's about 50:50 – 6 acres buildable and 6 acres are not. SM pointed out the density enabled by the acreage. MM noted that this acquisition will push the development towards a more compact layout. SY, what is the City Council doing with this in November? MM said he understands that a development agreement is being crafted. He expects that is what the Council will review next month. SY, are we expecting a legal opinion

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on the possible funding scenarios? SG said it's been discussed. MW asked the amount of money in the conservation fund. JS said about \$1M at the end of this fiscal year. It accrues by about \$180K annually, minus the administrative/stewardship monies. MM said it would be great if the Save Open Space Burlington folks would be partners in this effort and help to advocate for the proposal.

2. Winooski Valley Park District, presentation relative to Valley Ridge Conservation Land transfer

MM said that Nick Warner was present to discuss the potential acquisition of land adjacent to the Winooski River and the SD Ireland redevelopment on Grove Street. ZR mentioned the potential for trails within the property. MM said the property has conservation resource values regardless of the trails. MW asked if a phase 1 assessment would be needed prior to acquisition. MM said yes.

MM said the subcommittee also talked about the Fitzgerald property. It has an eroding river bank. There have been discussions around purchasing land along the bank or an easement to protect the shoreland. JS said that Ben Gabos has shared information with Nick Warner suggesting that erosion of the river may not widen as much as originally expected. Better information relative to where the river bank might end up. DM said Ben Gabos has a great deal of experience studying river corridors.

Update & Discussion

1. North End sewer discharge via storm line

Megan Moir noted that it was an illicit connection/discharge. There have been e. coli tests in the North End as long as the city has had its MS4. It looks like the optical brightener test may have been inadequate. In 2013, Strathmore had high e. coli numbers again. Didn't hear from them in 2014. Heard from them again in 2015. Decided to test for surfactants. What happened was that the home's wastewater pipe was connected to the MS4 line. The city's plumbing inspection ends 6' from the house. There was no ROW work involved – the digging was entirely on private property. Punitive measures are not being sought. The problem does not look like it was deliberate. Looking at ways to make the MS4 vs. sanitary sewer stubs obvious. Sniff test. The problem was there for 15 years, but there have been no reports of toilet paper or feminine products. DM noted that dogs are used for such sniff tests in inspections.

Ms. Moir noted the recently discovered Pine Street CSO. It was found as part of the stormwater mapping QA/QC. The pipe daylights behind DPW by the Barge Canal. MW said his understanding is that stormwater backs up at Lakeside because there is little gravity pull in the system at this point. Ms. Moir said the back-up there is MS4, not from the CSO.

2. Integrated Wastewater/Stormwater (Water Quality) Planning

Megan Moir stated that this planning effort provides an opportunity to address the numerous regulatory challenges all together. EPA is allowing for prioritization and sequencing and, in some cases, more time to address items. We will front load the maximum improvements. She is still working with Tetra Tech to crunch numbers from the recent stakeholders meeting. Burlington is one of five communities that received a technical assistance grant from EPA. Considerations ranging from pollutants captured, to city walkability, to different standards within different parts of the city. Enhanced street sweeping, dealing with pet waste, charging a fee in lieu of onsite structural improvements.

MM asked about the Lake Champlain phosphorous TMDL. Ms. Moir said that the TMDL allows for a certain amount of phosphorous discharge into the lake. There are credits and costs within that allotment. Reduce hot spots of erosion, especially within the green belt. MM, how much does the city have to do? Ms. Moir, an 11% reduction from CS areas and at least 10% of the city's overall impervious area. MM, what happens if city fails to meet requirements? DM said EPA could take away ANR's delegation and start running the permit program. He also said our reduction targets are well below other areas such as Missisquoi Bay.

Ms. Moir noted that private retrofit incentives are part of the puzzle. She noted cities in the northeast offering small grants to encourage such retrofits. She also noted work with LCI's "Blue" program for private property owner assistance.

SM, are there changes to Chapter 26 that may be required due to Act 64? Ms. Moir thinks of the 3-acre threshold as something the state will run. Delegation may be possible. SM said that the state is trying to capture properties developed prior to 1984 with 3+ acres of impervious. The target would be the 2002 rules, but those are being reworked. What's clear is that in January 2018, these properties will need a stormwater permit. Ms. Moir said the 3 acre threshold could be lowered.

Ms. Moir said we need to make stormwater more of our public street projects. Improved stormwater management needs to be part of the picture.

3. Transportation Alternatives Program funding to build portion of College Street green stormwater infrastructure watershed plan project

Megan Moir said there is technical assistance money available from VTrans that would be helpful with the College Street green infrastructure project. This project already has preliminary engineering and should score highly. About 1.5 acres would be greened for about \$200K (w/o the People's Bank lawn component). We could use this project as a template for other city streets. This project would reduce phosphorous by 25%. It would be a great example of what we can do downtown. It would also be excellent for enhancing public awareness.

MM, would it be worthwhile to identify city properties that could be used for green infrastructure improvements, even for private development to utilize and improve? Ms. Moir agreed, but said we won't have enough money to do it on our own. She said part of the process to pursue the VTrans funding is this public meeting.

She noted that DPW has hired another water quality engineer. He started this past week. She also noted that the Lake Champlain TMDL public comment period has been extended. DM said that ANR is considering the notion of phosphorous trading. The idea is that some places are cheaper to control phosphorous than others. For example, Burlington could purchase credits from a farm in Franklin County. It's a cap-and-trade system.

Ms. Moir noted that there will be some limited funding via the state as a result of Act 64. It is far less than is needed. In Burlington, if rates were \$15 like in Philadelphia, the stormwater program could do substantially more on a faster timeline. MM cautioned against increasing the financial burden on citizen taxpayers.

Project Review

- 1. 16-0405CA/CU; 38 Wright Avenue (WRL, Ward 5S) Brovar Dev. / Kelli Brown**
Construct seawall on existing grade for shoreline protection

No applicant present. SG noted that seawall applications such as this one were handled as "consent approval" items following the record lakeshore flooding of 2011. The Board could do the same here.

DL noted that the seawall is not the entire height of the slope. DM said that this item is on the agenda, so the applicants should be here. He'd like to know what's on the adjoining properties. JS said he'd be ok acting without the applicants.

No applicant present. Need to come next month.

Adjournment

The meeting adjourned at 7:20 PM